IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29720 of 2008
PARMESHWAR UPADHYAY @ SUSHIL KUMAR UPADHYAY, SON OF LATE RAGHUNANDAN UPADHAYAY, RESIDENT OF VILLAGE-ABARI, P.S. – MARHORA, DISTRICT-CHHAPRA

------PETITIONER

Versus

STATE OF BIHAR ------OPPOSITE PARTY.

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3. 16/10/2008 After some arguments, learned counsel for the petitioner seeks permission to withdraw this application.

This application is dismissed as withdrawn.

However, the petitioner is given liberty to file a petition before the Investigating Officer to the effect that actually the victim is still alive and is residing with Rinku Kumari, at Kaswakati, P.S. Kanti, District-Muzaffarpur. In that event, the Investigating Officer shall make enquiry into the matter and submit report before the C.J.M.

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S.Ali **(Ghanshyam Prasad, J.)**